



37 VICTORIA.

CHAP. 45.

An Act to make better provision, extending to the whole Dominion of Canada, respecting the Inspection of certain Staple Articles of Canadian produce.

[Assented to 26th May, 1874.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

GENERAL PROVISIONS.

1. The Governor in Council may, from time to time, designate the several cities, counties, towns, and other places or Inspection divisions in Canada at and for which, respectively, it is expedient to appoint Inspectors of the several articles hereinafter mentioned, or any of them, and the Governor may, from time to time, determine the limits of such Inspection Divisions and appoint at and for each of such cities, counties, towns, places or divisions, an Inspector of any of the following articles, that is to say:—

Governor may appoint Inspectors of certain articles; and at what places.

Flour and meal;
Wheat and other grain;
Beef and pork;
Pot ashes and pearl ashes;
Pickled fish and fish oil;
Butter;
Leather and raw hides;

Such Inspectors shall hold office during pleasure, and shall act respectively within such local limits as the Governor in Council may assign to them, and they and their Deputies shall be appointed only from among duly qualified persons, certified as such by the Examiners hereinafter mentioned.

Tenure of office and limits of action.

2. The Board of Trade at each of the cities of Quebec, Montreal, Toronto, Kingston, Hamilton, London, Ottawa, and St. John, N. B., and the Chamber of Commerce at the City of Halifax, shall annually appoint in the said cities respectively, and the Governor may from time to time appoint in any county in the Dominion

Boards of Examiners of Inspectors, how and when appointed.

Inspectors or Deputies must have been examined.

Provido: as to present inspectors.

Who may be present at examination.

Dominion or for any Inspection Division, five fit and skillful persons, any three of whom shall be a quorum, for each class of articles to be inspected at such city, or county, to examine and test the ability and fitness of applicants for the office of Inspector or Deputy Inspector of such articles; and no person shall be appointed such Inspector or Deputy Inspector, who has not been examined by and received a certificate of qualification from the proper Board of Examiners: Provided always, that the Governor may in his discretion appoint as an Inspector under this Act, without a new examination, any person who has been an Inspector of the same article under any Act hereby repealed. And the Board may at any such examination permit the attendance of any person or persons of experience and skill in the subject of such examination and allow them to propose questions pertinent thereto to the examinee, in order to test his knowledge and skill.

To whom certificates may be granted.

2. It shall be the duty of every such board to grant such certificates, and such only, as to the qualification of the candidates who present themselves for examination, as the knowledge and proficiency of such candidates may require or justify.

Examiners to take Oath.

3. Each such Examiner shall before acting as such, take before some Justice of the Peace, an oath in the following form or to the same effect:—

The oath.

"I, A. B., do swear that I will not, directly or indirectly, personally or by means of any person or persons in my behalf, receive any fee, reward or gratuity whatever, by reason of any function of my office of Examiner of applicants for the office of Inspector or Deputy Inspector of
"except such as I may be entitled to receive by law,
"and that I will therein well and truly, in all things, act without partiality, favor or affection, and to the best of my knowledge and understanding. So help me God."

Where kept.

Which oath shall remain in the custody of the Justice administering it.

Inspector not to trade in articles which he inspects.

4. No Inspector shall deal or trade in, or have any interest directly or indirectly, in the production of any article subject to inspection by him, or sell or buy any such article (except for the consumption of himself and his family) under a penalty of two hundred dollars for any offence against this section and the forfeiture of his office.

Inspector to take oath of office.

5. Each Inspector shall, before acting as such, take and subscribe before some Justice of the Peace, an oath of office in the form or to the effect following:—

The oath.

"I, A. B., do solemnly swear, that I will faithfully, truly and impartially, to the best of my judgment, skill and understanding, execute and perform the office of an Inspector
"and that I will not directly or indirectly, by myself or by any other person or persons whomsoever, manufacture, or prepare, deal, trade in, or sell, or buy, except
"only for the consumption of myself and family, any (insert
"the description of the articles he is to inspect) on my account, or
"upon

"upon the account of any other person or persons whomsoever,
"while I continue such Inspector. So help me God."

No Deputy Inspector shall have any direct or indirect interest by himself or by any other person whomsoever, in any article inspected by him.

Deputy Inspector to have no interest in articles he inspects.

Every Deputy Inspector shall, before acting as such, take and subscribe before some Justice of the Peace, the following oath:—

Deputy Inspector to take oath of office.

"I, A. B., do solemnly swear that I will faithfully, truly and impartially, to the best of my judgment and skill and understanding, execute and perform the office of a Deputy Inspector of _____, and that I will not inspect, brand or certify to the quality of any article or thing in which I have any direct or indirect interest on my own account or upon the account of any other person whomsoever, while I continue to hold office as a Deputy Inspector. So help me God."

The oath.

Such oaths shall remain in the custody of the Justice administering them, and any copy thereof certified by the said Justice of the Peace shall be *prima facie* evidence of such oaths.

Where to be kept.

6. Each Inspector or Deputy Inspector shall, before acting as such, give security for the due performance of the duties of his office, in such sum as the Governor may direct, by bond to Her Majesty, with two sureties to the satisfaction of the Governor, to be bound jointly and severally with him, in the form and subject to the provisions prescribed by law relative to the security to be given by persons appointed to offices of trust in Canada, and such bond shall avail to the Crown, and to all persons aggrieved by any breach of the conditions thereof, and such bond shall remain in the custody of the Secretary of State of Canada, and any copy thereof certified by him shall be *prima facie* evidence of such bond, and of the contents and tenor thereof, and such copy shall be furnished when required on payment of a fee of one dollar.

Security to be given by Inspector or Deputy.

7. Each Inspector may, and shall, when thereunto required by the Governor, in any Inspection Division, or by the Boards of Trade in any of the before named cities, appoint a Deputy or so many Deputies as may be necessary for the efficient and speedy performance of the duties of his office, such assistants being duly examined and sworn and giving security as above provided; and they shall be held to be the Deputies of the Inspector for all the duties of his office, and their official acts shall be held to be the official acts of the Inspector, and he shall be responsible for them as if done by himself; and each Deputy Inspector shall make such returns and reports of his official acts as shall be required of him by the Inspector whose Deputy he is.

Appointment of Deputy Inspectors, where required.

8. The said Deputies shall respectively be paid by and shall hold their offices at the pleasure of the Inspector; and no such Inspector shall allow any person whomsoever to act for him about the duties of his office, excepting only his sworn Deputy or Deputies appointed as aforesaid.

Duties and tenure of office of Deputy Inspector.

Deputy to act
on death of
Inspector.

9. In the event of the death of any Inspector, his senior Deputy Inspector shall perform all the duties of the Inspector until his successor is appointed.

Returns or re-
ports of official
acts, under
regulations to
be made by
Governor in
Council.

10. The Governor in Council may, from time to time, require any or every Inspector to make such returns or reports of his or their official acts to any public department or officer, Board of Trade or municipal authority, and in such form and containing such particulars and information as he may deem expedient, and may, from time to time, by Order in Council, make such regulations for the governance of Inspectors under this Act or any of them, and of parties employing them as such, as he may think proper, and may by such regulations impose penalties not exceeding fifty dollars on any person offending against them; and any copy of such regulations printed in the *Canada Gazette* shall be *prima facie* evidence of any such regulations, and that they are then in force; and such regulations, not being contrary to or inconsistent with this Act, shall be obeyed by such Inspectors and parties employing them, as if embodied in this Act, and any offence against them shall be deemed an offence against this Act and punishable as such.

Proof and
legal effect of
regulations.

Disputes
touching in-
spection how
settled, where
there is no
Board of Trade
or Chamber of
Commerce.

11. If any dispute arises between any Inspector or Deputy Inspector and the owner or possessor of any article by him inspected, with regard to the quality and condition thereof, or relating in any respect to the same, then upon application, by either of the parties in difference, to any Justice of the Peace for the place in which such Inspector or Deputy Inspector acts, such Justice of the Peace shall issue a summons to three persons of skill and integrity one to be named by the Inspector or Deputy Inspector, another by the owner or possessor of the article in question, and the third by such Justice of the Peace (who, failing the attendance of either of the parties in difference shall name for him), requiring such three persons forthwith to examine such article, and report their opinion of the quality and condition thereof under oath (which oath the Justice of the Peace shall administer), and their determination, or that of the majority of them, made in writing, shall be final and conclusive, whether approving or disapproving the judgment of the Inspector or Deputy Inspector, who shall immediately conform thereto, and brand or mark such article, or the package containing the same (as the case may be) of the qualities or condition directed by the determination aforesaid; and if the opinion of the Inspector or Deputy Inspector be thereby confirmed, the reasonable cost or charges of re-examination (to be ascertained by the said Justice of the Peace), shall be paid by the said owner or possessor of the article in question, and, if otherwise, by the Inspector or Deputy Inspector:—

Costs.

Proviso as to
cities where
there is a
Board of
Trade or
Chamber of
Commerce.

Provided always that if any dispute arises between the Inspector or Deputy Inspector for any of the said cities of Quebec, Montreal, Kingston, Toronto, Hamilton, London, Ottawa, St. John, N. B., or Halifax, N.S., and the proprietor or possessor of Flour or Meal, with regard to the quality or condition thereof, or relating in any respect to the same, such dispute shall not be decided in the manner hereinbefore provided, but, upon application by either of the parties in difference, to the Secretary of the Board of Trade or the Chamber of Commerce for the city where the dispute has arisen, the said Secretary shall

shall forthwith summon a meeting of the Board of Examiners for the said city, who, or a majority of them, shall immediately examine such Flour or Meal and report their opinion of the quality and condition thereof, and their determination, or that of a majority of those present, made in writing, shall be final and conclusive, whether approving or disapproving the judgment of the Inspector or Deputy Inspector, who shall immediately attend and conform himself thereto, and shall brand or paint, or cause to be branded or painted, each and every barrel or half-barrel, of the quantity and condition directed by the determination aforesaid :—

Board of Examiners to act.

In the absence of a sufficient number of the Examiners to form a quorum, as many additional Examiners may be named for the occasion by the Council of the Board of Trade or Chamber of Commerce, for the place where the inspection is to be made, as will form a board of three, and such additional members of the board shall be sworn in the same manner as the original members were :—

Proviso: Examiners may be named for the occasion by the Board or Chamber.

And if the opinion of the Inspector or Deputy Inspector be thereby confirmed, the reasonable costs and charges of re-examination, according to the rates allowed by the Council of the Board of Trade or Chamber of Commerce for the city, shall be taxed by the said Secretary and paid by the proprietor or possessor of such Flour and Meal, and, if otherwise, by the Inspector, with all damages :—

Costs.

Whenever any difference arises between Inspectors as to the true quality or grade of any article inspected by one of them and re-inspected by another, such difference shall be definitely determined by reference to such board of arbitration or other authority as the Governor in Council may appoint for that purpose.

When the difference is between Inspectors.

12. The Council of the Board of Trade, or Chamber of Commerce, if there be one, for each of the said cities or places where Inspectors are appointed, and, if not, or in case such board fails to make such tariff, the Governor in Council shall, from time to time, make a tariff of the fees and charges to be allowed for such re-examination and all services and matters connected therewith, and may establish rules and regulations for the government of the persons examining any article on appeal from the decision of the Inspector or Deputy Inspector: And all such fees shall be payable by the proprietor of the Bill of Inspection, or the re-delivery of the articles inspected, on which he shall have a special lien.

Fees from re-examination, how to be fixed.

When payable.

13. If any Inspector or Deputy Inspector refuses or neglects on application to him, made personally or by writing, left at his dwelling-house, store, office or warehouse, on any lawful day between sunrise and sunset, by any owner or possessor of any article which such Inspector or Deputy Inspector is appointed to inspect (such Inspector or Deputy Inspector not being at the time of such application employed in inspecting elsewhere) forthwith, or within two hours thereafter, to proceed to such inspection, he shall for every such neglect or refusal, forfeit and pay to the person so applying twenty dollars over and above all the damages occasioned by such refusal or neglect to the party complaining, recoverable in a summary way before any one Justice of the Peace, on the oath of one credible witness other than such complainant.

Penalty in case of neglect or refusal of Inspector to act.

How recoverable.

14.

As to fraudulent alteration or imitation or use, &c., of Inspector's marks, &c.

Or giving false certificate.

Or lending marking instruments.

Penalty.

Smaller offences by Inspector or Deputy; or acting out of his district.

Assuming title of Inspector or Deputy, &c., without authority.

Penalty.

Penalty not over \$40, how recoverable.

Penalty over \$10, how recoverable.

14. Any person who, with a fraudulent intention, alters, effaces or obliterates wholly or partially, or causes to be altered, effaced or obliterated, any Inspector's brands or marks, on any article having undergone inspection, or on any package containing any such article, or counterfeits any such brand, or mark, or brands, impresses or otherwise marks thereon any mark purporting to be the mark of any Inspector or of the manufacturer or packer of such article, either with the proper marking instruments of such Inspector, manufacturer or packer, or with counterfeit imitations thereof, or empties or partially empties any such package marked, after inspection, in order to put into the same any other article (of the same or any other kind), not contained therein at the time of such inspection, or uses for the purpose of packing any article, any old package bearing inspection marks,—or (not being an Inspector or Deputy Inspector of any article) brands or marks any package containing it, with the Inspector's marks, or gives any certificate purporting to be a certificate of inspection of any article, and any person who being in the employ of any Inspector or Deputy Inspector, or of any manufacturer or packer of any article subject to inspection, hires or lends the marks or marking instruments of his employer to any person whatever, or connives at or is privy to any fraudulent evasion of this Act with respect to any such marks as aforesaid, shall, for such offence, incur a penalty of forty dollars; and any Inspector or Deputy Inspector who inspects or brands or marks any article out of the local limits for which he is appointed, or hires out or lends his marking instruments to any person whomsoever, or gives any certificate of inspection without having personally performed the inspection, or any wilfully false or untrue certificate, or connives at or is privy to any fraudulent evasion of this Act, shall, for each such offence, incur a penalty of one hundred dollars, and shall forfeit his office, and shall be disqualified from ever after holding the same.

15. Any person not thereunto duly authorized under this Act, who in any manner whatever assumes the title or office of Inspector or Deputy Inspector, or issues any bill, certificate or declaration purporting to establish the quality of any Pot-ashes or Pearl-ashes, Flour or Meal, Beef or Pork, Grain, Pickled Fish or Fish Oil, Butter, Leather, or Raw Hides, shall for every such offence incur a penalty not exceeding one hundred dollars.

16. Every penalty and forfeiture imposed by this Act, or by any regulation made under it, not exceeding forty dollars, shall, except when it is otherwise herein provided, be recoverable by any Inspector, or Deputy Inspector, or by any other person suing for the same, in a summary way before any two Justices of the Peace for the place, in their ordinary or other sessions, and shall, in default of payment, be levied by warrant of distress, to be issued by such Justices, against the goods and chattels of the offender;

2. And where such penalty or forfeiture exceeds forty dollars, it may be sued for and recovered by any such Inspector, Deputy Inspector, or any other person, by bill, plaint, information or civil action, in any Recorder's Court or in any other Court having jurisdiction in civil cases to the amount, and may be levied by execution as in case of debt;

3.

3. And hereinafter for the long or person

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3. And the moiety of all such penalties (except such as may be hereinafter otherwise applied) when recovered, shall belong to the Crown for the public uses of the Dominion, and the other moiety shall belong to and be paid to the Inspector, Deputy Inspector, or other person suing for the same.

Application of penalties.

17. Any action or suit against any person for anything done in pursuance of this Act, or contrary to its provisions, shall be commenced within six months next after the matter or thing done or omitted to be done, and not afterwards; and the defendant therein may plead the general issue, and give this Act and the special matter in evidence, at any trial therein, and that the same was done under this Act; and if it appears so to have been done, then the judgment shall be for the defendant, and if the plaintiff is non-suited or discontinues his action after the defendant has appeared, or if judgment is given against the plaintiff, the defendant shall recover treble costs and have the like remedy for the same as defendants have in other cases.

Limitation of time for commencing suits, under this Act.

Pleas and costs.

18. In all cases where any article is sold subject to inspection, the person applying to the Inspector shall be entitled to reimbursement of the cost of inspection from the vendor, if such applicant be not himself the vendor, unless an express stipulation to the contrary is made at the time of the sale or of the agreement to submit to inspection;—And such agreement to submit to inspection shall imply a warranty that the article in question is of the quality for which it is sold, and that all the requirements of this Act have been complied with as to such article and the packages in which it is contained, unless it be otherwise expressly stipulated.

By whom cost of inspection shall be paid when article is sold subject to inspection.

What such agreement shall imply.

19. Nothing in this Act shall oblige any person to cause any article to be inspected, unless such inspection is expressly declared to be compulsory, but if inspected, it shall be subject to the provisions of this Act, and shall not be branded or marked as inspected unless the said provisions have been in all respects complied with, with respect to such article and the packages in which it is contained;

Inspection not compulsory, unless expressly so declared.

Proviso.

2. Inspectors and their deputies shall be paid their fees upon the articles imported by them by privilege and preference over all other creditors, and may retain possession of the articles inspected until the fees to which they are entitled under this Act shall have been paid;

Lien for fees.

3. The Governor in Council may make regulations whenever he deems it necessary to do so, for the apportionment of the fees paid under this Act between the Inspectors and their deputies, and for providing for the payment of fees to the Examiners appointed under this Act by parties who present themselves for examination, and every such regulation may be rescinded or varied from time to time.

Gov. in Council may make regulations as to apportionment of fees to Inspectors, Deputy Inspectors and Examiners.

20. The Act passed in the session held in the thirty-sixth year of Her Majesty's reign, intituled "*An Act to amend and to consolidate and to extend to the whole Dominion of Canada, the laws respecting*"

Act 36 Vic., c. 40, repealed.

Proviso: as to things done before the passing of this Act.

Or contracts made.

respecting the inspection of certain staple articles of Canadian produce" is hereby repealed, except that such repeal shall not affect the repeal of any former Act or provision of Law, any liability incurred, any bond or security given, any action, suit or proceeding pending, any penalty, forfeiture or punishment incurred for any offence committed, any appointment made in Council, regulation, or order made or given and not inconsistent with this Act, or anything lawfully done before this Act comes into force; and if, in any contract made before the coming into force of this Act, it has been stipulated that any article therein mentioned shall be subject to inspection, then unless the contrary be clearly expressed, the intended standard of quality of such article shall be understood to be that established by the laws in force at the date of such contract, and if the inspection is made after this Act is in force, it shall be made according to standard established.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF FLOUR AND MEAL.

Mode of inspection of Flour and Meal.

Where to be made.

Inspector's brands, &c.

How barrels shall be branded.

Sour.

21. The Inspector or Deputy Inspector shall examine and inspect every barrel and half barrel of Flour and Meal, on application being made for that purpose by the proprietor or possessor thereof, and shall ascertain the qualities and condition thereof, by boring the head of each barrel or half barrel, and proving the contents to the whole depth of the cask, by an instrument (not exceeding five-eighths of an inch in diameter within its gauge or bore) for that purpose; and after inspecting such Flour or Meal, the Inspector or Deputy Inspector shall cause the hole bored in each barrel or half barrel for inspection to be well and sufficiently plugged; and such inspection may be made either at the store or warehouse of such Inspector, or at some store within the limits of the place for which the Inspector is appointed, at the option of the owner or possessor of such Flour or Meal; and each Inspector may provide and keep in some convenient situation in the place for which he is appointed, a proper store or warehouse for the reception and inspection of Flour and Meal.

22. Each Inspector shall provide and have a sufficient number of iron or other metal brands, and every Inspector or Deputy Inspector shall, in the inspection of Flour and Meal, observe the following rules:—

1. He shall, immediately after inspection, brand or mark on each and every barrel or half barrel of Flour or Meal, the words "Quebec," "Montreal," "Toronto," "Halifax," "St. John," or the name of any other place where the inspection is made, and the initial of the Christian name and the surname at full length of the Inspector, with the quality of the Flour or Meal, as hereinafter directed;

2. On each and every barrel or half barrel of Flour or Meal which may on inspection be found sour, without any other damage or unmerchantable quality, he shall brand or mark the word "Sour" in letters as large as those upon the rest of the brand or mark, in addition to the brand or mark designating the quality;

3. In all cases where Flour or Meal is found to be of unsound or unmerchantable quality from other causes, he shall brand or mark the word "Rejected" at full length, in plain legible characters, in addition to the brand or mark designating the quality; Rejected.
4. In all cases where the quality of the Flour or Meal inspected appears to be inferior to the brand or other mark of the manufacturer, and not to be thereby properly designated, the Inspector or Deputy Inspector shall erase and correct the same; he shall also brand or mark on each barrel or half barrel of Flour or Meal inspected by him, the month and year in which it is inspected, with the quality of the Flour or Meal therein; Incorrect brands to be erased.
Date of Inspection.
5. All the said brands and other marks shall be branded or marked on one head of the barrel or half barrel; Where to be branded.
6. For such inspection and branding or marking, the person who required the inspection thereof shall pay to the Inspector for each and every barrel and half barrel of Flour or Meal so inspected and branded or marked, the sum of two cents (exclusive of cooperation) before such Flour or Meal shall be removed; and when any less quantity than one hundred barrels of Flour are offered for inspection at one time the Inspector shall be entitled to receive the full fees that would accrue to him on one hundred barrels. Fees.
On less than 100 barrels.
7. As soon as any Flour or Meal is inspected, a Bill of Inspection shall be furnished by the Inspector or Deputy Inspector without fee or reward, specifying neatly and legibly the quantity and quality ascertained by inspection, the gross weight of five per cent. thereof and the tare of one per cent. thereof, and the charges therefor, and the name of the mill at which the Flour is manufactured; Bill of Inspection to be furnished.
8. If any Inspector or Deputy Inspector, knowingly and wilfully gives, in any Bill of Inspection, an untrue and incorrect certificate of the quantity or quality or weight of any Flour or Meal by him inspected or gives such Bill without a personal examination and inspection of such Flour or Meal, he shall incur a penalty of forty dollars for each offence, and be dismissed from his office and be disqualified from ever after holding the same; Penalty for giving false Bill of Inspection.
9. Provided always, that all Flour or Meal which has been so inspected, branded or marked in one month or year, and re-inspected and examined in another, shall bear in addition the mark and brand of the year and month when last inspected; Brands in case of re-inspection.
10. Provided also that the Inspector or Deputy Inspector shall examine each and every barrel of Flour or Meal offered for inspection, and shall in no case brand or mark the same, unless the name of the manufacturer or packer, the place of packing, and the quality of the Flour or Meal, and the tare and net weight, are branded or marked legibly thereon; Name of packer, etc., to be marked on barrel.
11. The Inspector or Deputy Inspector shall note in his certificate the character of any unsoundness in the Flour or Meal to which it relates, such as "Musty"; and when Flour has been wet, and the wet part removed by the Inspector or owner, as the case may be, the Inspector shall note in his Bill of Inspection "Cleaned"; and when Character of unsoundness to be noted.
Fee if required to empty the barrel.

when the Inspector in his judgment deems it necessary to strip or empty out the Flour to find out if there is the proper weight of Flour in any cask, he shall be entitled to two cents for each barrel so stripped or emptied (if it prove to be of short weight) in addition to the two cents per barrel for inspecting and branding;

Inspector to return flour taken out by instrument if required.

12. The Inspector or Deputy Inspector shall, if required, deliver all Flour or Meal taken from any barrel or half-barrel with the instrument used for the purpose of inspection, to the person requiring such inspection, and shall incur a penalty of twenty dollars every time he fails in so doing.

Provisions as to qualities for branding.

23. The Inspector or Deputy Inspector shall govern himself as far as may be possible, by the standards of quality for each description of Flour or Meal, and shall brand or mark, within a space not exceeding fourteen inches long by eight inches broad, on every barrel and half barrel of Flour or Meal inspected by him, all brands and marks required by this Act, under a penalty of ten cents for each barrel or half barrel inspected and branded, or inspected and marked, otherwise than is required by this Act.

Qualities of flour.

24. In branding or marking the different qualities or descriptions of Flour, the same shall be designated as follows:—

That of a very superior quality, by the words "Superior Extra;"
That of the second quality, by the word "Extra Superfine;"
That of the third quality, by the words "Fancy Superfine;"
That of the fourth quality, by the words "Spring Extra;"
That of the fifth quality, by the word "Superfine;"
That of the sixth quality, by the word "Fine;"
That of the seventh quality, by the words "Fine Middlings;"
That of the eighth quality, by the words "Ship Stuffs," or "Pollards;"
That of another quality, to be called "Strong Baker's."

Qualities of meal.

And in branding or marking the different qualities of Rye Flour, Indian Meal or Oatmeal, the words "Rye Flour," "Indian Meal," or "Oatmeal" (as the case may be) shall be plainly branded or marked on every barrel and half barrel, to designate the Grain from which the same is made;—and the qualities shall be designated as follows:—

The superior quality of Rye Flour, by the word "Superfine;"
The second quality, by the word "Fine;"
The Superfine qualities of Indian Meal or Oatmeal by the word "First;"
The second quality, by the word "Second;" and
The third quality, by the word "Third."

Uniform standards how to be established.

Meeting of Examiners for the purpose.

25. And in order that there may be one uniform standard of quality for the various grades of Flour or Meal throughout the Dominion, for the government of Inspectors thereof, one or more members of each of the Boards of Examiners, for the Cities of Quebec, Montreal, Toronto, Hamilton, London, Ottawa, Halifax, and St. John, N.B., shall meet together in the City of Montreal between

between the fifteenth day of August and the fifteenth day of October, in each year, for the purpose of choosing samples of Flour and Meal of the various grades, to be the standards by which the Inspectors of Flour and Meal throughout the Dominion shall be governed in the work of inspection; and such standards shall be chosen and approved by the said Examiners, or a majority of them present at such meeting, notice of which shall be given by the Council of the Board of Trade of Montreal;

In the absence of the representative of any board or boards of Examiners herein mentioned, such representatives as are present in the said city of Montreal, and representing not less than three of the places herein mentioned, shall proceed to establish the Dominion standards for flour and meal as herein provided; and if the requisite number of representatives are not present on or before the first day of October, or if from any other cause the board hereby constituted fails to assemble or to establish the standards herein mentioned, then such standards shall be established by such means as the Governor in Council may direct.

Provision in case of absence of proper number of Examiners.

26. It shall be the duty of the Secretary of the Board of Trade of Montreal to send samples of such standard so chosen by the said members of the Boards of Examiners at such meeting as aforesaid, to the Minister of Inland Revenue, to be by him distributed to the several Inspectors for their guidance in such manner as they may be directed by the Governor in Council, and the said Secretary shall also furnish samples of such standards to all applicants on being paid a reasonable price therefor.

Transmission of samples of qualities.

27. Every barrel of Flour or Meal shall contain one hundred and ninety six pounds, and every half barrel shall contain ninety eight pounds:

How much barrels of flour and meal shall contain.

And it shall be the duty of the packer or manufacturer to brand, paint or mark the initials of his christian name, and his surname at full length, and the name of his mill or place of packing, the quality and weight of the Flour and Meal therein contained, and the tare of the cask, on one end of each and every barrel or half barrel of Flour or Meal packed for sale, in a plain and distinguishable manner, and he shall incur a penalty of two cents for each and every barrel or half barrel offered for sale or inspection, with regard to which the requirements of this section are not complied with; such penalty to be paid to the Inspector before delivery of the Flour or Meal.

Packer, etc., to mark his name, etc., on the barrel.

28. All Flour packed in Canada for sale, shall be packed in good and strong barrels not less in weight than twenty pounds, or half barrels of seasoned oak, elm or other hardwood or basswood timber, and made as nearly straight as may be, and the staves of such barrels shall be twenty-seven inches in length from croe to croe, and those of half barrels twenty-two inches in length, from croe to croe, with heads of the same;—the diameter of the heads of the barrels shall be from sixteen and a half inches to seventeen inches, and of half barrels from thirteen and a half to fourteen inches; and such barrels and half barrels shall be well seasoned and sufficiently hooped, with a lining hoop within the chimes, the whole

Description of barrels in which flour shall be packed.

Penalty for default.

Penalty for
contraven-
tion.

well secured by nails, under the penalty of two cents for each cask of Flour offered for sale or exported which shall not be one of the foregoing description of barrels and half barrels,—such penalty to be incurred by the person offering such cask for sale or exporting it.

Inspector to
verify weight.

29. The Inspector or Deputy Inspector shall ascertain by examination the weight of the Flour or Meal in every cask which he suspects not to contain the full weight required by this Act, and if it does not contain such full weight he shall cause it to be filled up at the expense of the person requiring such Flour or Meal to be inspected, so as to contain the weight required by this Act, and he shall, when required, certify the expense thereby incurred;

Proportion of
each lot to be
so verified.

2. And the Inspector or Deputy Inspector shall weigh such proportion of every lot of Flour or Meal offered for inspection (being not less than ten per cent. of each lot) as is necessary to verify whether the contents come up to the weight required by law; and shall enter such weight in his inspection book; and if such lot, or any part thereof, is deficient in legal weight, then he shall make or cause the deficiency to be made good by or at the expense of the owner thereof, so that each and every barrel shall contain the weight required by law, and the Inspector or Deputy Inspector shall, when required, certify the cost and expense thereby incurred;

Penalty for
neglect.

3. And every Inspector or Deputy Inspector who neglects so to examine and ascertain and weigh such Flour or Meal, and to cause the barrels or half barrels to be weighed as required by this section, shall, for every such neglect, incur a penalty of forty dollars, and shall be liable for all damages which the buyer or seller of such Flour or Meal suffers in consequence of such neglect.

If foreign
matters are
mixed with
flour or meal.

30. If upon the inspection of any barrel or half barrel of Flour or Meal, the Inspector or Deputy Inspector discovers any foreign substance mixed or blended therewith, or packed therein, he shall forthwith seize and detain the package, and make report thereon to any Justice of the Peace, under oath, and such Justice may, if he see fit, authorise the detention of the same in some safe place until the suit to be instituted for the penalty thereby incurred is determined: and every person wilfully and fraudulently mixing or blending any Flour or Meal by him packed for sale or exportation with any foreign matter, shall, for each offence, incur a penalty not exceeding one hundred dollars; but no prosecution, suit, or action for the recovery of any such penalty shall be commenced after the end of one month from the seizure and report so made by the Inspector or Deputy Inspector: and if such penalty be recovered, the Flour or Meal in respect of which it has been incurred shall thereupon be forfeited to and belong to the Corporation of the place.

Penalty and
forfeiture.

Proviso.

Forfeiture of
the Flour, etc.

Penalty for
undermarking
tare.

31. Every manufacturer or packer of Flour or Meal who undermarks the tare of any barrel or half barrel, or puts therein a less quantity of Flour or Meal than is branded thereon, shall incur a penalty of two cents for every barrel or half barrel so undermarked or deficient, unless such deficiency of weight appears to be occasioned by some accident unknown to such manufacturer or packer, and happening after the packing of the barrel or half barrel.

32. If any person knowingly offers for sale any barrel or half barrel of Flour or Meal in which there is a less quantity of Flour or Meal than is branded thereon, he shall incur a penalty of one dollar for every cask so deficient, without prejudice to the civil remedy of any party aggrieved, for any damage sustained by him.

Penalty for offering for sale flour deficient in weight.

33. Every Inspector shall, on Monday in every week, make out, sign, and transmit to the Secretary of the Board of Trade or Chamber of Commerce for the city, county or place for which he is appointed, or if there be no such Board, then to the Chairman of the Board of Examiners in such city or county, or in the county in which such place is situated, a statement of the quantity and quality of all Flour and Meal inspected or reinspected by him or his Deputies during the next preceding week, and of all Flour or Meal by him or them weighed during such week, and found deficient in weight, or in respect of which the tare was falsely marked, stating also the brand and manufacturers' names, and the amount of fines levied by him for the violation of this Act, and a duplicate of every such statement shall also be sent to the Department of Inland Revenue, at Ottawa.

Inspector to furnish weekly statement to Board of Trade, &c.

Duplicate to Inland Revenue.

34. In the foregoing enactments respecting the Inspection of Flour and Meal, the word "Meal" includes Oatmeal, Corn Meal and Rye Meal, and the said enactments shall extend and apply to flour and meal imported into Canada, and the re-inspection of flour and meal at any place to which it is removed within the Dominion of Canada whenever such re-inspection is declared to be necessary in the public interest by any order of the Governor in Council in that behalf.

Enactments to apply to imported and re-inspected flour and meal.

35. All Flour or Meal submitted for inspection under this Act shall be branded or marked by the Inspector in accordance with the grade or quality determined by him or his deputy.

Flour, etc., inspected to be marked under this Act.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF WHEAT AND OTHER GRAIN.

36. The grades of grain shall be as follows:—

Qualities of grain.

Winter Wheat.

No. 1 *White Winter Wheat* shall be pure White Winter Wheat, sound, plump and well cleaned.

No. 2 *White Winter Wheat* shall be pure White Winter Wheat, sound, and reasonably clean.

No. 1 *Red Winter Wheat* shall be Red or Red and White mixed, sound, plump, and well cleaned.

No. 2 *Red Winter Wheat* shall be pure Winter Wheat, Red or Red and White mixed, sound and reasonably clean.

No. 3 *Winter Wheat* shall include Winter Wheat not clean and plump enough for No. 2, and weighing not less than fifty-six and a half pounds to the measured Imperial bushel.

Rejected

Rejected Winter Wheat shall include Winter Wheat damp, musty, or from any cause so badly damaged, as to render it unfit for No. 3.

Spring Wheat.

Spring Wheat. No. 1 *Spring Wheat* shall be plump and well cleaned.

No. 2 *Spring Wheat* shall be sound, reasonably clean, and weighing not less than fifty-eight pounds to the measured Imperial bushel.

No. 3 *Spring Wheat* shall be reasonably clean, not good enough for No. 2, weighing not less than fifty-five and a half pounds to the measured Imperial bushel.

All *Spring Wheat* damp, musty, grown, badly bleached, or from any other cause unfit for No. 3 shall be graded as *Rejected*.

A mixture of *Spring* and *Winter Wheat* shall be called *Spring Wheat*, and graded according to the quality thereof.

Black Sea and *Flinty Fife Wheat* shall, in no case, be inspected as higher than No. 2.

Corn.

Corn. No. 1 *White Corn* shall be white, and in all other respects No. 1 *Corn*.

No. 1 *Yellow Corn* shall be Yellow, and in all other respects No. 1 *Corn*.

No. 1 *Corn* shall be sound, dry, plump and well cleaned, White and Yellow.

No. 2 *Corn* shall be dry, reasonably clean, but not plump enough for No. 1.

All damp, dirty, or otherwise badly damaged *Corn*, shall be graded as *Rejected*.

Oats.

Oats. No. 1 *Oats* shall be sound, clean, and free from other grain.

No. 2 *Oats* shall be sound, reasonably clean, and reasonably free from other grain.

Rejected Oats shall include such as are damp, unsound, dirty, or from any cause unfit for No. 2.

Rye.

Rye. No. 1 *Rye* shall be sound, plump and well cleaned.

No. 2 *Rye* shall be sound, reasonably clean, and reasonably free from other grain.

All *Rye* which is damp, musty or dirty, or which is from any cause unfit for No. 2 *Rye* shall be graded as *Rejected*.

Barley

Barley.

No. 1 *Barley* shall be plump, bright, sound, clean, and free from *Barley*. other grain.

No. 2 *Barley* shall be reasonably clean and sound, but not bright or plump enough for No. 1, and reasonably free from other grain.

No. 3 *Barley* shall include shrunk, or otherwise slightly damaged *Barley*, not weighing less than forty-three and half pounds to the measured Imperial bushel.

All *Barley* which is damp, musty, or from any cause badly damaged, or largely mixed with other grain, shall be graded as *Rejected*.

Provisions respecting Grain generally.

No Grain that is warm, or is in a heating condition shall be graded. General provisions as to inspection of grain.

In the inspection of Grain, the weight shall not alone determine the grade.

All Inspectors shall make their reasons for grading Grain, when necessary, fully known by notation on their books.

All wheat shall be weighed, and the weight per Imperial bushel entered on the Inspection Book.

Rates of Inspection for Grain.

For inspecting Grain in bulk per cental, one sixth of one cent Rates for inspection.

For inspecting Grain in sacks per cental, one third of one cent.

37. As soon as any Wheat or other Grain is inspected, a Bill of Inspection (with a certificate to the shipper when required) shall be furnished by the Inspector or Deputy Inspector, without fee or reward, specifying the quantity and quality and weight per bushel ascertained by inspection, and the charges thereon, with the name of the store, vessel, or number of the car wherein the Wheat or other Grain was when inspected, and every Inspector of grain shall furnish to all applicants samples of his standard on his being paid a reasonable price therefor. Bill of inspection to be furnished. Samples of standards.

38. The Inspector shall, on Monday in every week, make out, sign, and transmit to the Secretary of the Board of Trade or Chamber of Commerce of the city or place for which he is appointed, or if there be no such Board, then to the Chairman of the Board of Examiners in such city, or in the county in which such city or place is situate, a statement of the quantity and quality of all Wheat and other Grain inspected or re-inspected by him, or his Deputy, during the next preceding week. Inspector to make weekly statement.

SPECIAL

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF BEEF AND PORK.

Inspection of
beef and pork
how to be
made.

39. The Inspector or Deputy Inspector shall cut up, salt, pack and cure, or if already packed, shall unpack and examine throughout, adding salt if necessary, and cooping the same according to the requirements of this Act, every barrel, half barrel, tierce or half tierce of Beef or Pork submitted to him for inspection; and such inspection may be made either at the store, shop or warehouse of the Inspector, or at some store within the limits of the city or place for which he is appointed, at the option of the owner or possessor of such Beef or Pork submitting it for inspection; and every Inspector shall provide in some convenient position, in the city or place for which he is appointed, a proper store or place for the reception and inspection of Beef and Pork.

Inspector's
brands.

40. Each Inspector and Deputy Inspector shall provide and have a sufficient number of iron or other metal brands for his use, and in inspecting Beef or Pork, shall observe the following rules:—

Brands, what
to show.

1. He shall brand, immediately after inspection, on each and every barrel or half barrel, tierce or half tierce of Beef or Pork, the words "Quebec," "Montreal," "Toronto," "Halifax," "St. John, N.B.," or other name of the place for which he is appointed, as the case may be, and the initial of the Christian name and the surname at full length of the Inspector, with the quality as hereinafter directed;

Soft.

2. Every barrel or half barrel, tierce or half tierce of Pork or Beef which may on inspection be found to be soft or still fed, although it may be in all other respects fat and of good quality, shall be branded with the word "Soft," in letters as large as those upon the rest of the brand, in addition to the brand designating the quality;

Rejected.

3. In all cases where Beef or Pork is found to be of unsound and unmerchantable quality, from other causes than those aforesaid, he shall brand the same with the word "Rejected" at full length, and in plain legible characters;

Incorrect
marks to be
erased.

4. In all cases where the Beef or Pork appears inferior to the mark of the packer, or of any former inspection, the Inspector, or Deputy Inspector, shall erase and correct the same;

What shall be
branded on
barrels, etc.

5. He shall also brand upon each barrel or half barrel, tierce or half tierce of Beef or Pork inspected by him the month and year in which it is inspected, with the net weight and quality of the Beef or Pork therein;

Fees for in-
spection, etc.

6. For such inspection and branding the Inspector shall be entitled to receive of and from the person submitting the same for inspection, for each and every barrel and half barrel, tierce or half tierce of Beef or Pork so inspected, salted, packed, pickled and branded, twenty-five cents for each barrel, fifteen cents for each half barrel, thirty-five cents for each tierce, and twenty-five cents for each half tierce, exclusive of cooperage and repairs, the charge for which said cooperage and repairs shall not exceed fifteen cents

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per barrel or half barrel, tierce or half tierce; in consideration of ^{What they} which charges, all barrels or half barrels, tierces and half tierces, ^{shall include.} shall be delivered in good shipping order;

7. Such fee or allowance shall be paid by the owner or possessor of such Beef or Pork before it shall be removed; ^{By whom payable.}

8. As soon as any Beef or Pork is inspected, a Bill of Inspection shall be furnished by the Inspector or Deputy Inspector without fee or reward, specifying neatly and legibly the quantity of Beef or Pork so delivered to him, and the owner's mark or marks thereon, and the quantities and qualities ascertained by inspection and the charges therefor; ^{Bill of Inspection.}

9. If any Inspector or Deputy Inspector knowingly or wilfully gives an untrue or incorrect certificate of the quantity or quality of any Beef or Pork by him inspected, or gives such certificate without a personal examination and inspection of such Beef or Pork, he shall thereby incur the penalty hereinbefore provided for each offence, and be dismissed from his office and be incapable of ever after holding the same; ^{Penalty for false certificate.}

10. No Beef or Pork inspected and branded in one month or year, and re-inspected and repacked in another, shall bear any other brand of the year and month than that originally affixed to it,—except that on the vessel containing any Beef or Pork re-inspected, the date of such re-inspection, with the other particulars required in case of inspection, may be branded; but no preceding inspection brand, or any part thereof, shall be effaced, except in the case hereinbefore provided for; and every re-inspection which shall be made without complying with the requirements of this section, shall be held to be an inspection made contrary to this Act, and the person making it shall thereby incur the penalty aforesaid; ^{Date of inspection not to be changed in case of re-inspection.}

11. All Pork or Beef offered for re-inspection, and which has been packed, or inspected, twelve months or more previously, shall be branded in addition to its grade of quality, with the word "Old" in large letters; ^{"Old."}

12. All the said brand marks shall be branded on one head of the barrel or half barrel, tierce or half tierce; and all such brand marks shall be large and legible; and all such marks shall be branded within a space not exceeding fourteen inches long by eight inches broad, on each of the casks inspected, under a penalty of eighty dollars for each barrel or half barrel, tierce or half tierce inspected and not branded, or otherwise branded than is required by this Act; ^{How casks shall be branded.}

13. In all cases where any Beef or Pork is sold subject to inspection, the person applying to the Inspector to have the same inspected, shall be entitled to reimbursement of the price of inspection from the vendor, if such applicant be not himself the vendor, or unless an express stipulation to the contrary was made at the time of sale, or of the agreement to submit the Beef or Pork to inspection; and any such agreement shall imply a warranty that all the requirements of this Act have been complied with, ^{By whom fees shall be payable.} ^{Warrant by seller.}

as well with regard to the Beef or Pork to which it relates as to the vessels in which they are contained, and the marks upon such vessels.

Qualities of beef.

41. All Beef which the Inspector finds on examination to have been killed at a proper age and to be fat and merchantable, shall be cut into pieces as nearly square as may be, not more than eight nor less than four pounds weight, and shall be sorted and divided for packing and re-packing in barrels, half barrels, tierces and half tierces into four different sorts, to be denominated respectively, "*Mess*," "*Prime Mess*," "*Prime*," and "*Cargo*" Beef.

"Mess beef."

2. Mess Beef shall consist of the choicest pieces only, that is to say: Briskets, the thick of the Flank, Ribs, Rumps and Sirloins of Oxen, Cows or Steers, well fattened; and each barrel or half barrel, tierce or half tierce containing beef of this description, shall be branded on one of the heads with the words "*Mess Beef*;"

"Prime mess beef."

3. Prime Mess Beef shall consist of pieces of meat of the second class, from good fat cattle, without shanks or necks; and barrels and half barrels, tierces and half tierces containing beef of this description, shall be branded on one of the heads thereof with the words "*Prime Mess Beef*;"

"Prime beef."

4. Prime Beef shall consist of choice pieces of fat cattle, amongst which there shall not be more than the coarse pieces of one side of a carcase, the houghs and neck being cut off above the first joint; and barrels and half barrels, tierces and half tierces containing Beef of this description, shall be branded on one of the heads thereof with the words "*Prime Beef*;"

"Cargo beef."

5. Cargo Beef shall consist of the meat of fat cattle of all the descriptions of three years old and upwards, with not more than half a neck and three shanks (with the houghs cut off above the first joint,) and the meat otherwise merchantable; and barrels and half barrels, tierces and half tierces containing such Beef shall be branded on one of the heads "*Cargo Beef*;"

What barrels, etc., shall contain.

6. Each barrel in which Beef of any one of the foregoing descriptions shall be packed or re-packed, shall contain two hundred pounds of Beef, and each half barrel one hundred pounds, each tierce three hundred pounds, and each half tierce one hundred and fifty pounds.

Qualities of pork.

42. All Pork which the Inspector finds on examination to be fat and merchantable, except when classified as *Mess*, shall be cut in pieces as nearly square as may be, and not more than six nor less than four pounds weight, and shall be sorted and divided into five different sorts, to be denominated respectively: "*Mess*," "*Extra Prime*," "*Prime Mess*," "*Prime*," and "*Cargo*" Pork.

"Mess pork."

2. Mess Pork shall consist of the rib pieces only, of good hogs, not weighing less than two hundred pounds each; and barrels and half barrels, tierces and half-tierces containing such Pork shall be branded on one of the heads, "*Mess Pork*;"

3. Extra Prime Pork shall consist of heavy untrimmed fat *Extra prime.* shoulders, cut into three or four pieces;

4. Prime Mess Pork shall consist of the pieces of good fat hogs *"Prime mess pork."* not weighing less than one hundred and ninety pounds each, the barrel to contain the coarse pieces of one hog only, that is to say, two half heads (not exceeding together sixteen pounds in weight) with two shoulders and two hams and the remaining pieces of a hog,—the tierce to contain the relative proportion of heads, shoulders and hams; and the remaining pieces of one hog and a half hog, but when the pork under inspection is from hogs exceeding two hundred pounds each in weight, the Inspector shall make "Mess Pork" of such rib and side or flank pieces thereof, cut in the manner and of the weight above prescribed, as shall in his judgment be equal in quality on the average to "Mess Pork," as above defined; and barrels and half barrels, tierces and half tierces containing Pork of this description shall be branded on one of the heads "*Prime Mess Pork*,"

5. Prime Pork shall consist of the pieces of good fat hogs, not weighing less than one hundred and fifty pounds each, the barrel to contain the coarse pieces of one hog and a half only,—that is to say,—three half heads, (not exceeding together twenty-four pounds in weight,) three hams and three shoulders, and the remaining pieces of a hog and a half hog,—the tierce to contain the relative proportion of heads, shoulders and hams, and the remaining pieces of two hogs and a quarter of a hog; And each barrel or half barrel, tierce or half tierce containing Pork of this description shall be branded on one of the heads "*Prime Pork*,"

6. Cargo Pork shall consist of the pieces of fat hogs, weighing not less than one hundred pounds each,—the barrel to contain the coarse pieces of not more than two hogs,—that is to say four half heads (not exceeding together in weight thirty pounds,) four shoulders and four hams, and the remaining pieces of two hogs, and to be otherwise merchantable Pork; the tierce to contain the relative proportions of heads, shoulders and hams and the remaining pieces of three hogs; and barrels and half barrels, tierces and half tierces containing Pork of this description shall be branded on one of the heads, "*Cargo Pork*,"

7. But in all cases the following parts shall be cut off, and not packed, namely,—the ears close to the head,—the snout above the tusks,—the legs above the knee joint,—the tail shall also be cut off, and the brains, tongue and bloody gristle taken out;

8. Each barrel in which Pork of any of the foregoing descriptions may be packed or re-packed, shall contain two hundred pounds, and each tierce three hundred pounds,—and each half barrel or half tierce one half those quantities respectively,—of the several kinds and qualities of pork aforesaid, and shall be branded accordingly.

43. On the head of every barrel or half barrel, tierce or half tierce containing any thin, rusty, measly, tainted, sour or unmerchantable Pork, or unmerchantable or spoiled Beef branded "Rejected" in consequence of its being so, the true character both as to quality and condition of such Pork or Beef shall also be marked with

with black paint; and each Inspector shall certify, whenever required, the quality of any Beef or Pork by him inspected, the state and condition thereof, and the packages containing the same, specifying the extent of damage appearing on inspection, and the apparent cause thereof, whether exposure, injury in transportation, originally defective packing or putting up, and also specifying the brands, or other marks, upon the casks or packages inspected, and the name of the owner or possessor thereof.

Quality and
quantity of
salt.

Salt, saltpetre,
and pickle.

How barrels,
etc., shall be
made.

Hoops, etc;

Length, etc.,
of barrel.

Length, etc.,
of tierces.

44. The salt used in packing and re-packing Beef and Pork inspected and branded under this Act, shall be clean St. Ubes, Isle of May, Lisbon, Turk's Island, or other coarse grained salt of equal quality; and every barrel of fresh Beef or Pork shall be well salted with seventy-five pounds, and every tierce with one hundred and twelve pounds, of good salt, as aforesaid, exclusive of a sufficient quantity of pickle as strong as salt will make it; and to each barrel of Beef or Pork shall be added four ounces, and to each tierce six ounces of saltpetre; and each half barrel, or half tierce of fresh Beef or fresh Pork, shall be salted with half the quantity of salt and saltpetre above mentioned, with a sufficiency of pickle; and in all cases of packing and re-packing Beef or Pork to be inspected and, branded under the authority of this Act, the Inspector may use salt, saltpetre and pickle in his discretion.

45. Every barrel and half barrel, tierce or half tierce, containing Beef or Pork inspected in the Provinces of Ontario or Quebec, shall be made of good seasoned white oak staves, and the heads shall not be less than three quarters of an inch thick; and each stave on each edge at the bilge shall not be less than half an inch thick when finished for barrels, nor less than three quarters of an inch thick when finished for tierces, and the wood of half barrels or half tierces shall be in the same proportion to their size, and shall in all cases be free from every defect:

2. Every barrel and half barrel, tierce or half tierce, shall be hooped and covered two thirds of its length with good oak, ash, or hickory hoops, leaving one-third in the centre uncovered; and each barrel or half barrel, tierce or half tierce, shall be bored in the centre of the bilge with a bit not less in diameter than one inch, for the reception of pickle;

3. Each barrel shall not be less than twenty-seven inches nor more than twenty-eight inches and a half long; and the contents of each barrel in which Beef shall be packed or re-packed shall not be less than twenty-eight gallons, nor more than twenty-nine gallons, wine measure; and the contents of each barrel in which Pork shall be packed or re-packed shall not be less than thirty gallons, nor exceed thirty-one gallons, wine measure;

4. Each tierce shall not be less than thirty inches, nor more than thirty-one inches long; and the contents of each tierce in which Beef shall be packed or re-packed, shall not be less than forty-four gallons, nor exceed forty-five gallons, wine measure; and the contents of each tierce in which Pork shall be packed or re-packed shall not be less than forty-five gallons, nor exceed forty-six gallons, wine measure;

5. Half barrels or half tierces in which Beef or Pork shall be packed and re-packed shall severally contain half the number of gallons above mentioned, and no more; Half barrels and half tierces.

6. And the Inspector shall examine carefully and ascertain the sufficiency of each barrel and half barrel, tierce or half tierce, before branding the same, and shall brand none with regard to which the requirements of this Act have not been complied with. Inspector to examine barrels, etc.

40. Nothing in this Act shall prevent any Inspector of Beef and Pork from furnishing salt, saltpetre, or barrels or half barrels, tierces or half tierces, if necessary, but it shall be optional with the proprietor or possessor of such Beef or Pork, to furnish such salt, saltpetre, barrels or half barrels, tierces or half tierces himself, if he sees fit, whether the same be for new packing or to replace unsound old packages, or bad salt, and whether the same be at the stores of the Inspector or of such proprietor or possessor. Furnishing of salt and other requisites.

47. No Inspector shall suffer any Beef or Pork, if left in his charge after it has been inspected, to be exposed to the heat of the sun or inclemency of the weather longer than six days, under the penalty of forty dollars for every such offence; and every Inspector who neglects to provide a suitable store in a convenient situation, shall incur a penalty of four dollars per day for every day he has neglected to provide himself with such store after his appointment as Inspector. Beef and pork to be protected from the weather.

48. No Inspector of Beef and Pork, shall, when he inspects any Beef or Pork, at the store hereinbefore required to be kept by him for the purpose, charge any storage thereon, unless the same shall have been left in his store more than five days after he has delivered to the owner or possessor thereof a notice of its having been inspected, or an Inspection Bill thereof. As to storage.

49. No person other than an Inspector or Deputy Inspector under this Act, and who has previously complied with all the requirements thereof, or the actual owner of the Beef or Pork inspected shall inspect any Beef or Pork, or brand or mark any barrel or half barrel, tierce or half tierce, or cask or vessel of any kind, containing such Beef or Pork, or give any certificate of inspection, under a penalty of forty dollars for each barrel, half barrel, tierce or half tierce, cask or vessel, of Beef or Pork so inspected or branded, or with regard to which such certificate is given, to be recovered and applied in the manner provided by this Act, with regard to penalties hereby imposed: Inspection to be made only by Inspector or deputy.

2. And if any owner of any Beef or Pork brands any such vessel as aforesaid containing Beef or Pork, without affixing to his signature the name and the initial of his Christian name, the date at which the same was branded, and the word "owner" or "owners," he shall be held to have inspected and branded the same contrary to the provisions of this Act, and shall incur the penalty aforesaid. Penalty if the owner neglects to mark date on vessel.

50. Nothing in this Act shall prevent any person from packing for exportation or exporting any Beef or Pork without inspection, provided Inspection not compulsory, subject to order.

tain condi-
tions.

provided such Beef or Pork be packed in tierces or half tierces, barrels or half barrels of the dimensions hereinbefore prescribed for such vessels, respectively, and be marked with black paint or branded on one end thereof with the name and address of the packer, the date and place of packing, the weight and the quality of the Beef or Pork contained in each package :

Rounds and
briskets of
beef, etc.,
excepted.

2. Nor shall anything in this Act prevent any person from packing for exportation or from exporting without inspection any rounds of Beef, rounds and briskets of Beef, the meat of young pigs called Pig Pork, the tongues of neat cattle, the tongues of pigs, hams of pigs, or pig's cheek, or any smoked or dried meat of any description contained in tubs, casks, or barrels or other packages of any kind, provided each package be marked in the manner above mentioned.

But must be
marked.

Penalty for
contravention.

3. But every person who exports any meat of the kind last mentioned, not so marked as aforesaid, or Beef or Pork of any other kind not so marked or not packed in barrels or half barrels, tierces or half tierces of the dimensions hereinbefore prescribed shall thereby incur a penalty of one dollar for each and every barrel or half barrel, tierce or half tierce, tub, cask or other package with regard to which the provisions of this section are contravened.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF POT AND PEARL ASHES.

Inspection of
ashes: how to
be made.

51. Every Inspector or Deputy Inspector, on proceeding to inspect any Pot or Pearl Ashes, shall, either by emptying the whole of the Pot or Pearl Ashes out of the barrel, or by opening both ends of the barrel, and if necessary by scraping the barrel and cakes of Ashes, carefully examine, try and inspect and sort the same into three different sorts or qualities to be denominated *first sort*, *second sort* and *third sort*, determining the several sorts as follows:

Qualities of
ashes.

First sort Pot Ashes, shall contain seventy-five per cent of pure Alkali, at the least;

Second sort Pot Ashes, shall contain sixty-five per cent of pure Alkali, at the least;

Third sort Pot Ashes, shall contain fifty-five per cent of pure Alkali, at the least;

First sort Pearl Ashes, shall contain sixty-five per cent of pure Alkali, at the least;

Second sort Pearl Ashes, shall contain fifty-five per cent of pure Alkali, at the least;

Third sort Pearl Ashes, shall contain forty-five per cent of pure Alkali, at the least;

Each quality shall be in all other respects, entitled to rank of the quality designated thereon;

2. The Inspector or Deputy Inspector shall re-pack the Ashes into good and sufficient barrels of the size and description hereinafter specified, to be properly coopered and branded and shall weigh each barrel, and mark on the branded head, with black, the weight thereof, including tare, and the weight of the tare under the same;

Ashes to be repacked.

3. He shall brand in plain letters and figures on each and every barrel by him inspected containing Ashes of the first quality, the words, "*First sort*"; of the second quality, the words "*Second sort*"; and of the the third quality, the words, "*Third sort*", together with the words, "*Pot Ash*", "*Pearl Ash*", as the case may be, with his own name and that of the place where the Ashes are inspected, and the year when such inspection is made;

Branding.

4. He shall also collect the crustings or scrapings of the barrels and cakes of Pot and Pearl Ashes (if any) of each separate lot, and deduct the value of the same from the inspection charges to be paid by the proprietor of such lot, or deliver them to him;

Crustings and scrapings how disposed of.

5. He shall mark the word "*unbrandable, No. 1,*" (2, 3, 4, or 5.) according to its strength, on every barrel which he shall discover to contain Ashes so adulterated with stone, sand, lime, salt or any other improper substance, as not to admit of their being classified as *first, second, or third sort*;

Adulterated ashes.

6. He shall also make and deliver a separate Weigh Note or Bill of each quality of Ashes, whenever required so to do by the owner thereof or his agent.

Weigh note or bill.

52. No Pot or Pearl Ashes shall be inspected in barrels of any size or description other than the following,—Pot Ashes in barrels to be constructed of oak or white ash timber; and Pearl Ashes, in barrels to be constructed of oak, white ash, black ash, or elm timber,—and the said timber to be of the best description, and thoroughly seasoned, and the said barrels to be made perfectly tight, and to be well and completely hooped with, at least fourteen sound oak, ash, hickory, blue beech or elm hoops, or ten good iron hoops each; the said barrel shall not exceed thirty-two inches in length by twenty-two inches in diameter on either head, nor be less than thirty inches in length by twenty inches in diameter on either head, and the chime thereof shall not exceed one inch; and the Inspectors shall reject all barrels not constructed according to the foregoing directions, or which, in their opinion, are insufficient to resist the tear, wear, and usage to which they are liable; and from the gross weight of the barrel when filled up, the actual weight of such barrel, as tare, shall be deducted; and every manufacturer of Ashes shall mark, in legible characters, on the end of each barrel, before it is filled, the exact weight thereof.

Description of barrels to be used.

Tare or weight of barrel to be marked on it.

53. In any place where there is an Inspector of Ashes, except in the City of Montreal, each Inspector shall provide himself with suitable and convenient premises for the storage and inspection of Ashes, and he shall keep all barrels of Ashes delivered to him for inspection, while in his possession, in some dry place, safe from the injuries of the weather or of floods, and any Inspector contravening this section shall forfeit two dollars for every barrel not stored as aforesaid,

Inspectors to provide warehouse.

aforesaid, and forfeit and pay to the owner thereof, two dollars besides the actual damages sustained by the owner.

Special provision as to the City of Montreal.

54. The Inspector (which word in this section includes the Joint Inspector) for the City of Montreal, shall provide suitable and convenient buildings for the storage and inspection of Ashes, of that description commonly known as first class buildings, or such as shall be approved of by the Council of the Board of Trade for that city;

Ashes to be insured.

2. Such Inspector at all times, and at his own cost and charges, shall keep the Ashes stored in the said premises, insured to the amount of not less than one hundred thousand dollars,—and shall deposit the policies therefor with the Secretary of the said Board of Trade for the time being, and renew such policies from time to time, as occasion requires, but such insurance shall not be effected until after the name of the company or companies with whom he is desirous of effecting the same has been submitted to the Council of the said Board of Trade of the said City for their approval, and such approval has been signified to the Inspector in writing;

Further provisions as to insurance.

3. And should the said insurance, at any time, be less than the actual value of the Ashes stored in the said premises, the said Inspector shall, at his like cost and charges, and subject to the conditions above prescribed, effect additional insurance sufficient to cover the extra value of the said Ashes during the time they may remain so stored as aforesaid; and the said Inspector shall be bound to deliver to the owner thereof, in good order, all Ashes received into the inspection stores.

Fees for inspection, etc.

55. For all the services to be performed, as aforesaid, each Inspector may charge on the Inspection Bill as aforesaid:

The sum of ten cents for every hundred pounds of Pot or Pearl Ashes by him so inspected;

The actual cost of every barrel by him furnished;

The sum of twenty-five cents for each new head so furnished, and the sum of eighteen cents, as and for cooperage and repairs, on each barrel of Pot or Pearl Ashes by him so inspected (the said cooperage to include nails and the end hoops of the barrel);

The sum of twenty-five cents for putting in a barrel, partly filled with Pot or Pearl Ashes, the additional quantity thereof necessary to fill the same whenever duly required so to do;

The sum of twenty-five cents per barrel in all cases where lime, raw ashes, damaged ashes, or other trash have been packed or mixed with Pot or Pearl Ashes, for his services in extracting and separating the same;

How paid, and for what services.

In consideration of which charges all barrels shall be delivered in good shipping order, and the charges shall be paid or allowed to the purchaser by the person offering such Pot or Pearl Ashes for inspection, or his agent.

56. Each Inspector shall have all Ashes sent to him for inspection inspected, and the Inspection Bills prepared for delivery, and the whole well and duly coopered and prepared for shipment within a period not exceeding thirty-six working hours from the date such Ashes are received into the inspection stores: and such Inspector shall further be entitled to receive ten cents per barrel, for the storage of each barrel of Ashes which remains stored with him as aforesaid more than five days after the date of the Invoice, Weigh Note, or Inspection Bill, and five cents per barrel for each subsequent month they shall remain stored (reckoning the second month to commence forty days from and after the date of the Invoice, Weigh Note, or Inspection Bill), and such storage and all other charges shall be paid by the person or persons receiving or shipping the said ashes or by his or their agent; but in no case shall any storage be paid or required when the Ashes shall not have remained stored as aforesaid during ten days from and after the date of the Invoice or Weigh Note.

Time for Inspection.

Storage.

Proviso.

57. The Inspector of Ashes for the City of Montreal shall further be entitled to charge a sum not exceeding three cents per barrel, as and for insurance, on each barrel of Pot or Pearl Ashes sent to his premises for inspection, and such insurance shall be considered as chargeable from the day such barrel is received into the said premises, and the said Ashes shall be held to be insured from the period of such reception, but such rate shall cover all insurance on the said Ashes during the whole period they may remain stored in the said premises; and the said insurance shall be charged by the Inspector in the Inspection Bill.

Fees for insurance in Montreal, and what to cover.

58. The said Inspector for the City of Montreal shall, from time to time, make returns of the business of his office to the Council of the Board of Trade of the said City of Montreal, whenever duly required so to do by the said Council; and duplicates of all returns so made shall be forwarded to the Department of Inland Revenue at Ottawa.

Inspector for Montreal to make returns to Board of Trade.

59. Every Inspector or Deputy Inspector who, during his continuance in office, permits any cooper or other person by him employed, to retain or keep any Pot or Pearl Ashes, or who brands any barrel of Ashes of any description or size other than is prescribed by this Act, or who dates any Weigh Note or Bill of Inspection otherwise than of the day when the Ashes were actually inspected, or who delivers out of his possession any such Weigh Note or Bill of Inspection without any date, or who does not conform to the provisions of this Act—shall, for every such offence, incur a penalty not exceeding four hundred dollars, and be for ever thereafter disqualified from holding and exercising the office of Inspector of Pot and Pearl Ashes, or of Deputy Inspector; and any Inspector or Deputy Inspector or Clerk, or other person, who makes or causes to be made any false or fraudulent Bill of Ashes, shall be guilty of felony, and shall be punishable by imprisonment in the Penitentiary for any term not exceeding seven years and not less than two years, or in any other gaol or place of confinement for any term less than two years.

Offences and penalties.

False Bill of Inspection, felony.

Inspection not
compulsory
subject to cer-
tain condi-
tions.

Penalty for
contraven-
tion.

60. Nothing in this Act shall prevent any person from exporting Pot and Pearl Ashes, without inspection, provided that on one end of the barrel, containing the same, there be neatly and legibly branded or marked, the name and address of the manufacturer, the weight and tare of the barrel, and the quality of Ashes contained in it; but any person who exports any Pot or Pearl Ashes not so marked as aforesaid, or who marks any such barrel falsely, shall thereby incur a penalty of twenty dollars for every barrel or other package so marked.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF PICKLED FISH AND FISH OILS.

Inspector to
provide
branding
irons.

61. Every Inspector shall provide himself with proper branding irons, or stencil plates, for the purpose of branding or marking such casks, barrels and boxes as may by him be inspected pursuant to this Act; and it shall be the duty of each Inspector to know that all his Deputies are duly provided in this respect.

Inspecting,
etc., to be
done in pre-
sence of In-
spector.

62. The inspecting, culling, classing, weighing, packing, and branding or marking of any fish or oil shall be done in the immediate presence and sight of an Inspector or Deputy Inspector.

Duty of In-
spector.

63. It shall be the duty of the Inspector or Deputy Inspector to see that all kinds of split, whole, pickled or salted fish, intended for packing or barrelling, and submitted to him for inspection, have been well struck with pickle and salt, in the first instance, and preserved sweet, free from taint, rust, saltburn, oil or damage of any kind; and all fish or oil intended for market or exportation, and branded or marked as inspected and merchantable, shall be well and properly packed, in good, tight and substantial packages or casks, except green codfish packed without pickle which may be packed in barrels or packages which are not tight, and all other packages shall be made of the materials and in the manner following:

Tierces, bar-
rels, etc., how
to be made.

Tierces, barrels and half-barrels shall be made of sound, well seasoned split or sawed staves, free from sap, and in no case to be of hemlock, and the headings shall be of hardwood, pine, fir or spruce, free from sap, and planed on the outside, and shall be at least three quarters of an inch in thickness. The staves shall be five eighths of an inch in thickness. Staves for salmon and mackerel barrels shall be twenty-nine inches in length, and the heads between the chimes seventeen inches. Staves for barrels for herring shall be twenty-seven inches in length, and the heads between the chimes shall be sixteen inches, and the bung staves of all such barrels shall be of hardwood. All casks shall be hooped with not less than twelve sound, good hoops of not less than one inch in width at the large end for all tierces and barrels, and in no case to be of alder. The makers of all tierces, barrels and half-barrels, shall brand the initials of their Christian names and their whole surnames, and also the letters S. M. or H., according as the package may be intended for salmon, mackerel or herrings, at or near the bung staves, under a penalty of twenty cents for every package not so branded.

Hoops.

How to be
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All empty packages shall be subject to the inspection and approval of the Inspector or his deputies who shall brand or mark the word "condemned" immediately after the maker's name on all packages that will not pass inspection.

Inspection
and branding
of empty
packages.

64. The inspection of all pickled fish cured for market or exportation, and of all fish oils, codfish tongues or codfish sounds cured for such purpose and contained in any such packages as are hereinafter mentioned, shall be compulsory in every Province of the Dominion, except Manitoba and British Columbia, at any place where an Inspector is appointed by law; and if any such pickled fish, fish oil, or other articles aforesaid, in any such package as aforesaid is sold, or offered for sale, or exported, or shipped, or laden in any vehicle for exportation, or otherwise offered to be exported in or from any place within any Province of Canada, except British Columbia or Manitoba, for which an Inspector or Deputy Inspector has been appointed without being inspected under this Act, the person so selling or offering it for sale, or exporting it or offering it for exportation shall incur a penalty of not less than one dollar and not more than five dollars for each such package.

In what cases
and places
inspection
shall be com-
pulsory.

Penalty for
trans-
gression.

65. All pickled fish cured for market or exportation, and all fish oils, codfish tongues and codfish sounds, shall be inspected, weighed, or gauged or branded or marked, only in accordance with this Act; and all green codfish, in boxes or packages, shall be inspected and culled, and a certificate of inspection for the latter, stating the quality and quantity thereof so inspected, and shipped on board any vessel, shall be granted by any Inspector or Deputy Inspector.

Inspection,
etc., to be in
accordance
with this Act.

66. The various kinds of fish to be inspected under this Act shall be branded or marked of the following denominations, respectively:—

Qualities of
fish.

1. SALMON to be branded or marked "No. 1" shall consist of the largest or best and choicest kind, being well split, the blood being well washed out before being salted, well cured, in the best condition, and in every respect free from taint, rust or damage of any kind:

Salmon.

Those to be branded or marked "No. 2" shall comprehend the best salmon that remain after the selection of the first quality, and shall be good, sound, well split and cured fish, in the best condition, and in every respect free from taint, rust, or damage of any kind.

Those to be branded or marked "No. 3" shall consist of those that remain after the selection of the first two qualities, but must be good sound fish, and in every respect free from taint, rust, or damage of any kind.

2. MACKEREL to be branded or marked "Mess Mackerel," shall consist of the best and fattest mackerel, being well split, having the blood well washed out before being salted, well cured, in the best condition, and free from taint, or rust, or damage of any kind, and shall be such as would have measured not less than fourteen inches from the extremity of the head to the crotch or fork of the tail, and shall have the heads and tails taken off:

Mackerel.

Those

Those to be branded or marked "Extra No. 1," shall consist of the best and fattest mackerel, being well split, having the blood well washed out before being salted, well cured, in the best condition, and free from taint or rust, or damage of any kind, and shall measure not less than fourteen inches from the extremity of the head to the crotch or fork of the tail:

Those to be branded or marked "No. 1," shall consist of the best and fattest mackerel, being well split, having the blood well washed out before being salted, well cured, in the best condition, and free from taint, rust, or damage of any kind, and shall measure not less than thirteen inches from the extremity of the head to the crotch or fork of the tail:

Those to be branded or marked "No. 2" shall comprehend the best mackerel that remain after the selection of the first qualities, and shall be properly split and washed, well cured, and in every respect free from taint, rust, or damage of any kind, and shall be divided into two qualities, those from thirteen inches and upwards not being sufficiently fat to make No. 1 being branded No. 2 large, and those from eleven inches up to thirteen inches shall be branded No. 2.

Those to be branded or marked "Large No. 3" shall consist of good sound mackerel, properly washed, well cured and free from taint, rust or damage of any kind, and shall measure not less than thirteen inches from the extremity of the head to the crotch or fork of the tail:

Those to be branded or marked "No. 3" shall consist of good sound mackerel, properly washed, well cured, and free from taint, rust, or damage of any kind, and shall measure eleven inches and upwards from the extremity of the head to the crotch of the tail:

All mackerel under eleven inches in length, of good, sound quality, and free from taint and rust, or damage of any kind, shall be branded or marked with the word "Small Spring" or "Small Fall" in the place of a number:

All short, sunburnt or ragged mackerel, of whatever class and not otherwise defective, shall be branded or marked "No. 4."

Herring, Gas-
pereaux, and
Alewives.

3. HERRINGS, GASPEREAUX and ALEWIVES to be branded or marked "No. 1" shall consist of the largest and best fish well struck with salt, thoroughly cured and cleaned and bright in colour.

And those to be branded or marked "No. 2" shall comprehend the best herrings that remain after the selection of the first quality.

All undersized herrings to be branded or marked "No. 3," with the word "Small" in addition to the other brands or marks:

All ripped herrings shall be branded or marked with the word "split," in addition to other brands or marks:

All gibbed herrings shall be branded or marked with the word "Round" in addition to other brands or marks:

All herrings that are not gibbed or ripped shall be branded or marked with the word "gross" in addition to other brands or marks.

All spring-caught herrings shall be branded or marked with the word "spring," in addition to other brands or marks:

The above shall be well cleansed and cured, and in every respect free from rust, taint or damage.

Herrings that are caught at the Magdalen Islands, Bay des Chaleurs, Labrador or Newfoundland, and brought into port in Canada in bulk and packed in Canada, shall be branded or marked "Magdalen Islands," "Bay des Chaleurs," "Newfoundland" or "Labrador," respectively in addition to other brands or marks.

Branding of herrings caught at certain places.

Herrings packed and inspected in Newfoundland and imported into Canada shall be marked or branded "Newfoundland" without further inspection.

In Newfoundland.

4. Smoked herrings to be branded or marked "No. 1" shall comprehend the best and fattest fish; and those to be branded or marked "No. 2" shall consist of the poorer, smaller and inferior fish. Both of these qualities shall be well smoked, free from taint, and not burnt or scorched; and no red or smoked herrings shall be so branded or marked unless they be well and sufficiently saved and cured, and carefully packed in good and substantial barrels, or half barrels; and if in kegs or boxes, the same shall be of well-seasoned boards, the sides, top and bottom, of not less than half an inch in thickness, and the ends at least three quarters of an inch thick; and the inside measurement of each box shall be eighteen inches long, and nine inches broad and eight inches deep, well nailed, and the tops or covers smoothed.

Smoked herrings.

Tainted, burnt, scorched and badly smoked herrings, shall be considered "refuse," and may be branded or marked as such without any other character.

Tainted herrings.

5. SEA TROUT to be branded or marked "No. 1" shall consist of the largest, best and fattest kind, being well split, and in every respect free from taint, rust or damage of any kind;

Sea trout

Those to be branded or marked "No. 2" shall comprehend the best trout that remain after the selection of the first quality, and shall be good sound fish, free from taint, rust, or damage of any kind;

6. LAKE and SALMON TROUT to be branded or marked "No. 1" shall consist of the largest and fattest fish, and be free from taint, rust, or damage;

Lake and Salmon trout.

Those to be branded or marked "No. 2 Lake" to be the next best fish, free from taint, rust, or damage.

7. WHITE-FISH to be branded or marked "No. 1" shall consist of the largest and fattest kind, cured in good condition, and be in every respect free from taint, rust or damage:

"No.

"No. 2" shall consist of those that remain after the selection of the first quality, and be free from taint, rust, or damage.

Green codfish
in barrels.

8. GREEN CODFISH in barrels, with or without pickle, to be classed "No. 1," shall consist of the best and fattest, being well split and cleansed, well cured, in first-rate condition; and in every respect free from taint, salt-burn, rust or damage of any kind, and shall measure at least fifteen inches to the crotch of the tail.

Those remaining, after selection of first quality, to class "No. 2," shall be sound, well-cured fish, and free from taint, salt-burn, rust or damage of any kind:

Other fish.

9. ALL OTHER KINDS OF FISH not enumerated herein, and belonging to denominations specified by this Act, such as ling, hake, haddock, pollock, catfish, halibut, shad, bass, eels, codfish tongues and codfish sounds, in casks or barrels, shall be branded or marked as such, and must be sound and well cured, free from taint, salt-burn, rust or damage of any kind.

Small fish.

10. SMALL FISH, which are usually packed whole, with dry salt or pickle, shall be put into good casks of the size and materials required by this Act for the packing of split pickled fish, and shall be packed close, edgewise in the cask, and properly salted with good, coarse wholesome dry salt, and the casks shall be filled full with the fish and salt, and no more salt shall be put with the fish than is necessary for their preservation; and the casks containing such whole fish shall be branded or marked with the denomination of the fish, and a like designation as is prescribed by this Act in respect of the qualities, &c., of other pickled fish.

Rusty and
sour fish.

11. ALL RUSTY OR SOUR FISH, of whatever kind or class, shall be branded or marked with the word "rusty" or "sour," in addition to the other brands or marks.

Fish which
shall not pass
inspection.

12. No foul or tainted fish, or fish mutilated for the purpose of concealing marks and appearances of illegal capture, or unsizeable shall pass inspection; and it shall be the duty of every Inspector or Deputy Inspector to seize, and any magistrate may confiscate to Her Majesty all fish found or exposed for sale having been killed or captured during prohibited seasons or by unlawful means, and all fish at any time offered for sale or barter, or attempted to be exported, whilst in unwholesome condition.

Fish in bulk.

13. Fish known as pickled fish, that may be cured in bulk, if not inspected and certified as aforesaid, and afterwards packed in barrels, shall be branded or marked with the word "bulk," in addition to other brands or marks.

Packing of
fish.

14. Each cask or package of fish shall contain fish of the same kind, or parts of the same kind and quality, properly packed in separate layers, and on every layer of fish so packed in the cask, a sufficient quantity of good, clean, suitable salt, free from lime, shall be regularly placed, and in like proportion for other packages, at the discretion of an Inspector, or Deputy Inspector; and after the cask shall have been

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been properly packed and headed it shall be filled with clean pickle strong enough to float a fish of the kind so packed.

15. Should it appear to any Inspector, or Deputy Inspector, that a portion of the fish inspected by him is sound, and another portion unsound, he shall separate the sound from the unsound, re-pack the sound fish, and brand or mark the same according to its quality; and such portion as the Inspector judges incapable of preservation he shall condemn as bad, and mark "refuse," in addition to other marks.

Found and unsound fish to be separated.

16. If any casualty renders it necessary to re-pack inspected fish it shall in all cases be done by and in the presence of an Inspector or Deputy Inspector; and any other person attempting to re-pack or brand or mark the same shall be liable to a penalty of not more than twenty dollars for every such offence.

Re-packing to be in presence of Inspector.

17. When any fish branded or marked by a Deputy Inspector, proves unequal in quantity or quality to that which may be indicated by the brand or mark, or deficient in any way of the requisites prescribed by this Act, the Inspector may cause the same to be re-inspected; and if it appear that the defect arose from the condition of the fish, or the bad quality of the cask, or the bad packing or pickling of the fish at the time of the inspection, he may recover the cost and charges of such re-inspection from the Deputy who branded or marked the same.

Inspector may correct packing, etc., of deputy Inspector.

18. Pickled fish, duly inspected, packed and branded or marked, and oils, inspected and branded or marked under this Act, at any place in the Provinces of Nova Scotia, New Brunswick, Quebec, Ontario, or British Columbia, shall not be subject to re-inspection within the Dominion, except only in cases already provided for in this Act.

Inspected fish not to be re-inspected.

19. Each tierce shall be three hundred pounds, and each half tierce one hundred and fifty pounds; each barrel shall be two hundred pounds, and each half barrel one hundred pounds; each quintal shall be one hundred pounds; each draft shall mean two hundred pounds; and each box of herrings shall contain twenty-five pounds. In each of the above instances the weight shall be clear avoirdupois, exclusive of salt and pickle.

Contents of tierce, etc.

20. There shall be branded or marked on the head or butt of each cask of pickled or dry-salted fish, in plain legible letters after the same has been inspected, culled, classed, weighed and packed, in accordance with this Act, the description of the fish, the weight and quality contained in the package, the initials of the Christian name or names and the whole surname of the Inspector or Deputy Inspector by whom the fish was inspected, and the name of the place where he acts as Inspector, and the month and the year of inspection.

Brands on packages of fish.

67. The Boards of Examiners of Inspectors of fish and fish oils shall fix and have in charge the standard of fish oils in Nova Scotia, New Brunswick, Quebec and Ontario, respectively; and the same shall be classified and branded or marked according to such standards, as follows:—

Standards of fish oils, how fixed and kept.

- Whale oil.** 1. WHALE OIL shall be free from adulteration of every kind, and shall be branded as such, with the class according to quality appointed by standard: if No. 1, "Pale;" if No. 2, "Straw;" if No. 3, "Brown."
- Seal oil.** 2. SEAL OIL shall be free from adulteration of every kind, and shall be branded as such, with the quality per standard: if No. 1, "Strictly pale;" if No. 2, "Pale;" if No. 3, "Straw;" if No. 4, "Brown;" if No. 5, "Dark Brown."
- Porpoise oil.** 3. PORPOISE OIL shall be free from adulteration of every kind, and shall be branded as such, with the quality per standard: if No. 1, "Pale;" if No. 2, "Straw;" if No. 3, "Brown."
- Cod oil.** 4. COD OIL shall be free from adulteration, and be branded as such: first quality, "A;" second quality, "B."
- Other fish oils.** 5. HERRING, Hake, Pollock and Dog Fish Oil, and all other oils shall be branded as such: first quality, "A;" second quality, "B."
- Duties of inspectors.** 6. An Inspector or Deputy Inspector shall determine the gauge of each cask, and the outside weight, and shall mark the same on the cask; and the barrels shall be in good order and condition, sound and staunch, and made of hard wood, and if any cask or casks be found to contain water or other adulteration, such shall be scribed or branded by the Inspector or Deputy Inspector, on the cask.
- Brands.** 7. Casks containing fish oils shall be scribed or branded with such quality, the month and the two last figures of the year when inspected, the initials of the Christian name or names, and the entire surname of the Inspector, and also the place of inspection, and the initial letters of the name of the Province in which it was inspected.
- Definition of fish oils.** 8. The designation, "Fish Oils," in this Act, shall include whale, seal, porpoise, cod, herring, sturgeon, siskawitz, and all other kinds of oils derived from fishes and marine animals.
- Fees for inspection.** 68. Every Inspector or Deputy Inspector who shall inspect and brand or mark any cask or package of pickled fish or in bulk, or any fish oil, in accordance with the provisions of this Act, shall be entitled to fees at the following rates, which shall be paid by the original owner or the person who employed him in the first instance:—
1. For each tierce of salmon, salmon-trout or sea-trout, fifteen cents.
 2. For each half-tierce of salmon, salmon-trout or sea-trout, ten cents.
 3. For each barrel of salmon, salmon-trout or sea-trout, fifteen cents.
 4. For each half-barrel of salmon, salmon-trout or sea-trout, ten cents.
 5. For each barrel of mackerel, ten cents.

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6. For each half-barrel of mackerel, five cents.
7. For each barrel of herring, five cents.
8. For each half-barrel of herring, three cents.
9. For each barrel of shad, ten cents.
10. For each half-barrel of shad, seven cents.
11. For each barrel of whitefish, ten cents.
12. For each half-barrel of whitefish, seven cents.
13. For each barrel of pickled cod-fish, hake, haddock or cat-fish, five cents.
14. For each half-barrel of ditto, three cents.
15. For each barrel of dry-salted codfish, hake, haddock, catfish, ling or pollock, five cents.
16. For each half-barrel of ditto, three cents.
17. For each barrel of bass, ten cents.
18. For each half-barrel of bass, seven cents.
19. For each barrel of cod tongues, cod sounds, halibut or eels, ten cents.
20. For each half-barrel of ditto, seven cents.
21. For inspecting, gauging and branding each puncheon of oil, twenty cents.
22. For inspecting, gauging and branding each hogshhead of oil, fifteen cents.
23. For inspecting, gauging and branding each tierce of oil, twenty cents.
24. For inspecting, gauging and branding each barrel of oil, fifteen cents.
25. The foregoing rates shall be reckoned exclusive of salt, pickle, cooperage, storage, and labor employed in washing, rinsing, cleaning, nailing, screwing or re-packing and pickling any fish.
26. For branding or marking Newfoundland fish which have been inspected in Newfoundland, two cents per barrel.
27. For inspecting empty packages, one cent.

Provided always, that any person causing his fish or oil to be inspected, may employ at his cost and charges, a cooper to attend upon and assist the Inspector or Deputy Inspector in the performance of his duty, in which case the Inspector or Deputy Inspector shall

Rates to be exclusive of salt, etc.

Provided: owner may employ his own cooper, to act under the inspector.

shall not be allowed any charge for cooperage, and the cooper so employed shall be governed and guided solely by the directions which he receives from the Inspector or Deputy Inspector with respect to any fish or oil by him inspected, and not by any other person whomsoever.

Where inspection shall be effected.

69. Fish and fish oil may be inspected either at the place where they are packed or manufactured, or at the place of sale within the Dominion.

When not inspected at place of packing; and when at place of sale.

70. When fish are not inspected at the place of packing, the packer's name and the quality of the fish must be marked in paint, on each barrel, half-barrel or package; and when they are inspected at the place of sale, the inspector shall empty out ten packages in each hundred, of any lot submitted to him for inspection, and such inspection of ten packages out of every hundred, shall regulate the grade of the fish so submitted for inspection.

Bill of inspection.

71. So soon as any fish is inspected, a Bill of Inspection shall be furnished by the Inspector or Deputy Inspector, specifying the quality as ascertained by inspection, and whether each package contains the weight prescribed by this Act, with the name of the packer, and of the Inspector at the place of packing.

As to fish landed from U. S. vessels for re-shipment there. Proviso.

72. This Act shall not apply to fish landed at any port of the Dominion from United States fishing vessels for the purpose of re-shipment to the United States, unless the owners of such fish wish them to be inspected: Provided always that such fish if so re-shipped without being inspected, shall not be branded or marked.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF BUTTER.

Inspection of butter, how to be made.

73. No Inspector or Deputy inspector of Butter shall brand, mark or certify any butter as inspected, unless it is packed in the manner hereinafter required; but any butter not so packed, submitted for inspection, shall, by the Inspector or Deputy Inspector to whom it is submitted be re-packed in the manner hereby required, and the Inspector or Deputy Inspector shall receive the actual cost of such new packages as may be required for such re-packing, and the further sum of five cents for each firkin or keg of butter so re-packed for compensation of his time and labour.

Re-packing.

How butter shall be packed.

2. All butter submitted for inspection shall be packed in kegs, firkins or tubs, containing each 25 lbs., 50 lbs., 75 lbs., or 100 lbs. Every such package shall be made of the best seasoned wood, shall be well bound with sufficient hoops, and shall be of such size respectively as will contain as nearly as may be the above mentioned quantities. The actual weight of each package when dry, together with the names of the maker of such package shall be legibly branded on the outside of one of the staves of such package.

Weight to be marked.

Further provisions as to packager.

3. The packages may be of such form and the heads or ends may be secured in such manner as the maker may deem best, but the length of the stave shall in all cases be equal to the greatest diameter of the package, and the Inspector may reject and refuse to

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to stamp or brand any package that he considers insufficient for preserving the contents in good order, or for the prevention of fraud with reference to the stamps or brands.

74. In inspecting butter, the Inspector or Deputy Inspector shall take out the head of each firkin or keg, and shall pass the taster through the butter, from end to end, and shall empty out and throw aside all salt or pickle which, in his judgment, is not necessary to the preservation of the butter; and after he has ascertained the quantity of the butter, he shall replace so much thereof as he has taken out, and if there is in his judgment a deficiency of loose salt, so that he thinks the preservation and condition of the butter would be promoted by an additional quantity of salt, he shall add such quantity;

Mode of inspection.

2. He shall then have the package securely headed and coopered, and shall inscribe or brand on the head of the package the gross weight thereof in pounds avoirdupois, excluding fractional parts of a pound, and the tare, which shall include for each package of twenty-five pounds, one half pound,—for each package of fifty pounds, one pound,—and for each greater package two pounds weight, for soaking over and above the cooper's tare; and he shall then brand on the head his own name, the month, year and place of inspection, and the quality of the butter as "first," "second," "third," or "fourth," or as "grease," according to the quality of the butter, and adopting such standard of quality and system of classification, as may be approved by the Governor in Council; first removing all such marks (the distinguishing mark of the owner of the butter excepted) on the package as would interfere with the brands or marks of the Inspector.

Coopering and branding.

Quality and standard.

75. Each Inspector shall provide himself and his Deputy with suitable and convenient premises for the storage and inspection of butter, and shall keep all packages of butter delivered to him for inspection, while they remain in his possession, in some place safe from the injuries of the weather or of floods, and under tight roof, and any Inspector or Deputy Inspector contravening this provision, shall forfeit and pay to the owner the sum of one dollar, for every package not stored as aforesaid, besides the actual damages sustained by such owner.

Fit premises to be provided.

76. For all the services to be performed as aforesaid, including unheading, weighing, salting, heading, tightening hoops, marking and branding, and ten days' storage, each Inspector shall be entitled to receive ten cents for every package of butter by him inspected as aforesaid,—and if re-inspected, seven cents,—together with the actual cost or charge of any package by him furnished, or for extra cooperage or repairs done to packages containing butter by him inspected, and no more; the charge for which extra cooperage and repairs shall not in any case exceed five cents per package; in consideration of which all packages shall be delivered in good shipping order; and such charges shall be paid by the person offering such butter for inspection, or his agent.

Fees for inspection and services.

2. Each Inspector shall further be entitled to receive two and a half cents per month, per firkin, and two cents and a third of a cent per keg, per month, for the storage of each package of butter, which

Storage.

which remains stored with him as aforesaid more than ten days after the date of the Invoice, Weigh Note and Inspection Bill, and such storage shall be paid by the person receiving or shipping the said butter, or his agent; but in no case shall any storage be paid or required when the butter has not remained stored as aforesaid during ten days from the date of the Inspection Bill.

Charges when payable.

3. All the charges of inspection and storage shall be payable before the butter is re-delivered by the Inspector; and the Inspector shall furnish a Bill of Inspection signed by him and specifying neatly and legibly the quantity and quality of the butter, the charges thereon, and the owner's name.

Inspector to make monthly returns of quantity and quality inspected.

77. Every Inspector shall, at the end of every month, make a return to the Department of Inland Revenue of the quantity of each quality of Butter inspected by him or his Deputy, and such return shall be in such form as may be required by the said Department.

SPECIAL PROVISIONS RESPECTING THE INSPECTION OF RAW HIDES AND LEATHER.

Governor to appoint Inspectors.

78. The Governor may, when he considers it necessary to do so, appoint in any City an Inspector of leather and an Inspector of raw hides.

Inspection of leather, how to be made.

79. Every Inspector or Deputy Inspector may examine and inspect any raw hides or leather on application being made to him for that purpose by the proprietor or possessor thereof, and ascertain the respective weights, qualities and conditions thereof.

Where inspection shall be made.

80. Such inspection shall be made either at the store or warehouse of such Inspector, (which he is hereby required to keep in a convenient situation for that purpose in the city, town or place for which he is appointed Inspector), or if he thinks fit at the store or warehouse of the owner thereof: No charge for storage, shall be made until twenty-four hours after such inspection; but all trouble and expense attendant upon the loading, unloading or moving such raw hides or leather shall be borne and paid by the party at whose request the same was inspected.

Quality to be marked, and weight.

81. Every Inspector or Deputy Inspector shall mark or stamp on each hide the net weight of such hide; and such hides shall be inspected without the horns, muzzles, snouts or hoofs, and the Inspector, if he is required to do so, shall give a certificate of the net weight of such hide, without any charge for such certificate.

Powers of Inspector in respect of weight.

82. Every Inspector or Deputy Inspector shall subtract from the weight of each raw hide all dirt and parts injured by knife cuts, and any other thing which ought not to be computed in the weight of the hides, and may add to such weight all that such hides may have lost by drying, the whole at his discretion; he shall also classify them as number one, two, three or damaged, as the case may be.

83. Every Inspector shall be entitled for the inspection of such Fees.
hides to a fee of five cents for each hide in lots under one hundred in number, and four cents for each hide in lots over one hundred in number.

84. The Inspector or Deputy Inspector may inspect harness leather and certify the weight thereof, but he shall not be liable in damages on account of any deficiency or excess in the weight of any such harness leather, unless such deficiency or excess amounts to more than five per cent. of the whole weight of the leather. *Harness leather.*

85. The Inspector or Deputy Inspector may also inspect leather known as calf, kip and red leather or moccasin leather, and certify to its weight, quality and condition. *Red or moccasin leather.*

86. The Inspector or Deputy Inspector may inspect and measure all kinds of leather which are sold by superficial measure or by weight, and shall be entitled to charge two cents for each side or piece of such leather inspected and measured by him. *Leather sold by the foot.*

87. Any person, except the Inspector or Deputy Inspector, who shall stamp or number any of the raw hides or leather above mentioned, and shall expose them for sale, shall be liable to a fine not exceeding twenty dollars, but he shall be at liberty to mark on the said raw hides or leather in ordinary and legible figures the weights of the said raw hides or leather, and in such cases the words "Not Inspected" shall be marked above the said figures, in letters of the same dimensions and as legible as the said figures; and any person who shall expose for sale any raw hides or leather, the weights of which shall be so marked without the words "Not Inspected" as above prescribed, shall be liable to a fine not exceeding twenty dollars. *None but Inspector to stamp leather, etc. Exception.*

88. Each Inspector or Deputy Inspector shall provide and have a sufficient number of brands, stamps, stencil plates, or marking instruments, wherewith he shall brand, stamp or mark, or cause to be branded, stamped or marked, immediately after inspection, on both sides of each hide or piece of leather, the initials of the name of the inspector. *Inspector to provide brands and stamps.*

89. All brand or stamp marks shall be neat and legible, and shall be made at one end of the hide or piece of leather, within a space of not less than two inches long by one and one half broad. *How leather shall be branded or stamped.*

90. Sole leather so inspected shall be divided as to quality into three classes; to be known as number one, number two, and number three; number one representing the first or best quality, number two representing the second quality, number three representing the damaged and rejected articles. *Qualities of sole leather.*

And such leather as is ordinarily distinguished among dealers, by its comparative weight, shall also be divided into three classes, to be known as heavy, middling, and light weight; every piece or side of leather under fourteen pounds weight shall be considered light; every piece or side of leather of fourteen pounds weight and under twenty pounds *And of other leather.*

pounds weight shall be considered middling, and every piece or side of leather of twenty pounds weight and over shall be considered heavy or over weight:

Liability for
deficiency
limited.

The Inspector or Deputy Inspector shall not be liable in damages on account of any deficiency or excess in the weight of any such leather, unless such deficiency or excess amounts to more than five per cent. of the whole weight of leather.

Moccasin and
harness
leather.

91. Red leather or moccasin leather and harness leather after inspection, be marked or branded, respectively, with the figures 1, 2, according to the quality thereof.

Brands or
marks des-
cribed.

92. The brand or mark may be fixed or attached to the raw hide or leather, by stamping, or by any other process that may render such brand or mark indelible; each brand or stamp shall have the initials of the city or town where inspection is made and the initials of the Inspector's name, and the weight of the raw hide or leather, as also the figure denoting the quality; and may be in the form following:—

Forms of.

1. 112 lbs.
T., J. B., I.

2. 90 lbs.
T., J. B., I.

The figure 1, representing the first quality, 112 lbs., the weight, T., Toronto, J. B., I., initials of Inspector's name and office.
The figure 2, designating second quality.

3. 60 lbs.
T., J. B., I.

The figure 3 designating a damaged or rejected article.

Inspector to
keep books,
and what they
shall show.

93. Every Inspector of Raw Hides and Leather shall keep a proper book or books which shall be open to public inspection, in which he shall, from time to time, enter a statement or account of all green, raw and salted Hides and Leather inspected by him or any of his Deputy Inspectors, showing the respective weight, quality and condition thereof, how the same have been classified by him, for whom they have been inspected, and the amount paid for such inspection.

Inspector to
make returns.

94. Every such Inspector shall twice in each year, and not later than the tenth day of January and the tenth day of July, make a return to the Board of Trade of the city or town in respect to which he

he has been appointed, of particulars mentioned in the next preceding section and a duplicate of such return shall be sent to the Department of Inland Revenue at Ottawa.

95. Every Inspector who neglects or refuses to keep such a book as mentioned in the ninety-third section of this Act, or to make the entries required to be made therein, or neglects or refuses to make the returns required by section ninety-four of this Act, shall incur a penalty not exceeding eighty dollars for each offence, and be liable to be dismissed from his office, and be disqualified from ever after holding the same. Penalty for neglect to keep books, &c.

96. The Inspection of Raw Hides shall be compulsory at every place where an Inspector or Deputy Inspector has been appointed, and every raw hide sold, offered for sale or exported, offered for export or laden in any vehicle or vessel for the purpose of being exported, and which has not been first inspected and stamped or marked as herein required, shall be forfeited, and the person so selling or offering for sale or exporting the same, shall incur a penalty of one dollar for every hide, so sold, offered for sale or exported. Inspection to be compulsory wherever Inspector or deputy.

97. The expression "Raw Hides" shall mean and include all untanned or uncurried skins commonly used in the manufactures of leather. Raw hides, what so include.

98. This Act may be cited as "The General Inspection Act, 1874." Short title.

OTTAWA:

PRINTED BY BROWN CHAMBERLIN,

LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY